

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE VASO ACTIVE PHARMACEUTICALS
SECURITIES LITIGATION

)
) Master File No. 04-CV-10708-RCL
)
)

ASSENTED TO MOTION TO EXTEND TIME TO RESPOND TO THE COMPLAINT

Pursuant to Federal Rule of Civil Procedure 6(b), Defendant Vaso Active Pharmaceuticals, Inc. (“Vaso” or the “Company”) and Individual Defendants John Masiz, Joseph Frattaroli, Stephen Carter, Bruce Shear, Gary Fromm, Brian Strasnick, William Adams, and Robert Anderson (collectively, the “Defendants”) respectfully move for an extension of time, from January 3, 2005 to February 2, 2005, to file a response to the Consolidated Amended Class Action Complaint (the “Complaint”). Plaintiffs have assented to this requested extension.

As grounds for this motion, Defendants state as follows:

1. Plaintiffs filed the Complaint on December 6, 2004. Defendants’ response to the Complaint is currently due no later than January 3, 2005.
2. Counsel for defendant Stephen Carter has been engaged in arbitration-related proceedings during the month of December.
3. The Complaint names several additional defendants, including five members of the Company’s Board of Directors as well as the underwriters for Vaso’s initial public offering.
4. Due to the upcoming holidays, the addition of the new defendants and counsel’s other professional commitments, Defendants’ Counsel seek this short extension of time to file a response to the Complaint.
5. Plaintiffs have assented to the requested extension of time.

6. The granting of this motion will not prejudice any party.

WHEREFORE, the Defendants respectfully request that the Court extend the time to respond to the Complaint to February 2, 2005.

Respectfully submitted,

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Dated: December 22, 2004

Attorneys for Defendant Stephen Carter

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

Counsel for the above-referenced Defendants certify that they conferred with counsel for the Plaintiffs, who indicated that Plaintiffs assent to this motion.

/s/ Michael G. Bongiorno